

AS TO AN OVERWEIGHT VEHICLE CARRYING AN INDIVISIBLE LOAD:

(1) IF IT IS THE FIRST INDIVISIBLE LOAD OVERWEIGHT VIOLATION BY THE DRIVER OF THE VEHICLE, THE VEHICLE MAY BE ALLOWED TO PROCEED, AFTER A PERMIT TO DO SO IS OBTAINED FROM THE STATE HIGHWAY ADMINISTRATION; AND

(2) IF IT IS A SECOND OR SUBSEQUENT INDIVISIBLE LOAD OVERWEIGHT VIOLATION BY THE DRIVER OF THE VEHICLE, THE VEHICLE SHALL RETURN WITH ITS LOAD TO ITS PLACE OF ENTRY OR ORIGIN IN THIS STATE, AFTER A PERMIT TO DO SO IS OBTAINED FROM THE STATE HIGHWAY ADMINISTRATION.

(D) EXCEPTION - PERISHABLE PRODUCTS.

AS TO AN OVERWEIGHT VEHICLE CARRYING PERISHABLE PRODUCTS AS ITS ONLY LOAD:

(1) IF IT IS THE FIRST PERISHABLE LOAD OVERWEIGHT VIOLATION DURING THE CALENDAR YEAR BY THE DRIVER OF THE VEHICLE, THE VEHICLE SHALL BE ALLOWED TO PROCEED TO ITS DESTINATION; AND

(2) IF IT IS A SECOND OR SUBSEQUENT PERISHABLE LOAD OVERWEIGHT VIOLATION DURING THE CALENDAR YEAR BY THE DRIVER OF THE VEHICLE, THE VEHICLE MAY NOT BE MOVED UNTIL THE EXCESS WEIGHT IS UNLOADED.

(E) CARE AND RISK IN UNLOADING.

ALL MATERIAL OR CARGO UNLOADED UNDER THIS SECTION SHALL BE CARED FOR BY THE OWNER OR OPERATOR OF THE VEHICLE AT THE RISK OF THE OWNER OR OPERATOR.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 66 1/2, §14-111(c).

In this section, "State Highway Administration" is substituted for the obsolete reference to the "State Roads Commission"; in this regard, see revisor's note to §8-207 of this article.

In subsections (c) and (d) of this section, the present law is revised to clarify that the references to a "first" or a "second or subsequent" violation refer to violations of the same nature: i.e., of an "indivisible load" or "perishable load" overweight violation.

In subsection (d)(2) of this section, the more specific term "excess weight" is substituted for "products". This more limited requirement